

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-00663-CKK**

HUSCH BLACKWELL LLP v. UNITED STATES SMALL BUSINESS ADMINISTRATION et al  
Assigned to: Judge Colleen Kollar-Kotelly  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/08/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**HUSCH BLACKWELL LLP**

represented by **Tierra Jones**  
HUSCH BLACKWELL, LLP  
750 17th Street, NW  
Suite 900  
Washington, DC 20006  
(202) 378-2392  
Fax: (202) 378-2319  
Email: [tierra.jones@huschblackwell.com](mailto:tierra.jones@huschblackwell.com)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Brian Paul Waagner**  
HUSCH BLACKWELL, LLP  
750 17th Street, NW  
Suite 900  
Washington, DC 20006  
(202) 378-2300  
Email: [brian.waagner@huschblackwell.com](mailto:brian.waagner@huschblackwell.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES SMALL BUSINESS ADMINISTRATION**

represented by **Christopher Charles Hair**  
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2541  
Fax: (202) 252-2599  
Email: [christopher.hair@usdoj.gov](mailto:christopher.hair@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**UNITED STATES DEFENSE LOGISTICS AGENCY**

represented by **Christopher Charles Hair**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/08/2019	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 400 receipt number 0090-5991157) filed by HUSCH BLACKWELL LLP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Civil Cover Sheet, # <u>16</u> Summons Office of US Attorney, # <u>17</u> Summons General Counsel, DLA, # <u>18</u> Summons US Attorney General, DOJ, # <u>19</u>

		Summons Office of US Attorney, # <u>20</u> Summons General Counsel, SBA, # <u>21</u> Summons US Attorney General, DOJ(Waagner, Brian) (Attachment 15 replaced on 3/11/2019) (zef, ). (Entered: 03/08/2019)
03/11/2019		Case Assigned to Judge Colleen Kollar-Kotelly. (zef, ) (Entered: 03/11/2019)
03/11/2019	<u>2</u>	SUMMONS (6) Issued Electronically as to UNITED STATES DEFENSE LOGISTICS AGENCY, UNITED STATES SMALL BUSINESS ADMINISTRATION, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 03/11/2019)
03/14/2019	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE U.S. <i>Defense Logistics Agency</i> re <u>1</u> Complaint,, filed by HUSCH BLACKWELL LLP. Related document: <u>1</u> Complaint,, filed by HUSCH BLACKWELL LLP.(Waagner, Brian) (Entered: 03/14/2019)
03/14/2019	<u>4</u>	REQUEST FOR SUMMONS TO ISSUE U. S. <i>Small Business Administration</i> re <u>1</u> Complaint,, filed by HUSCH BLACKWELL LLP. Related document: <u>1</u> Complaint,, filed by HUSCH BLACKWELL LLP.(Waagner, Brian) (Entered: 03/14/2019)
03/14/2019	<u>5</u>	SUMMONS (2) Re-Issued Electronically as to UNITED STATES DEFENSE LOGISTICS AGENCY, UNITED STATES SMALL BUSINESS ADMINISTRATION. (Attachments: # <u>1</u> Summons)(ztd) Modified text on 3/19/2019 (znmw). (Entered: 03/14/2019)
03/20/2019	<u>6</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 03/20/2019. (DM) (Entered: 03/20/2019)
03/27/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/15/2019. Answer due for ALL FEDERAL DEFENDANTS by 4/14/2019. (Waagner, Brian) (Entered: 03/27/2019)
03/27/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/13/2019. (Waagner, Brian) (Entered: 03/27/2019)
03/27/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES SMALL BUSINESS ADMINISTRATION served on 3/13/2019 (Waagner, Brian) (Entered: 03/27/2019)
03/27/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEFENSE LOGISTICS AGENCY served on 3/15/2019 (Waagner, Brian) (Entered: 03/27/2019)
04/15/2019	<u>11</u>	ANSWER to Complaint by UNITED STATES DEFENSE LOGISTICS AGENCY, UNITED STATES SMALL BUSINESS ADMINISTRATION.(Hair, Christopher) (Entered: 04/15/2019)
04/15/2019	<u>12</u>	NOTICE of Appearance by Christopher Charles Hair on behalf of UNITED STATES DEFENSE LOGISTICS AGENCY, UNITED STATES SMALL BUSINESS ADMINISTRATION (Hair, Christopher) (Entered: 04/15/2019)
04/15/2019	<u>13</u>	ORDER. Signed by Judge Colleen Kollar-Kotelly on 4/15/2019. (lcckk3) (Entered: 04/15/2019)
04/15/2019		Set/Reset Deadlines: Answer due by 5/10/2019. (dot) (Entered: 04/16/2019)
04/22/2019	<u>14</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Tierra Jones, :Firm- Husch Blackwell LLP, :Address- 750 17th Street NW, Suite 900, Washington, DC 20006. Phone No. - (202) 378-2392. Fax No. - (202) 378-2319 Filing fee \$ 100, receipt number 0090-6074684. Fee Status: Fee Paid. by HUSCH BLACKWELL LLP (Attachments: # <u>1</u> Declaration of Tierra Jones in Support of Motion for Admission Pro Hac Vice)(Waagner, Brian) (Entered: 04/22/2019)
04/23/2019		MINUTE ORDER granting <u>14</u> Motion for Admission of Attorney Pro Hac Vice with respect to Tierra Jones, in order for her to appear as counsel for Plaintiffs, CONTINGENT on said attorney filing a declaration certifying familiarity with this Court's Local Rules by no later than APRIL 30, 2019. Counsel shall promptly register

		for this Court's CM/ECF system. Signed by Judge Colleen Kollar-Kotelly on 4/23/2019. (lcckk3) (Entered: 04/23/2019)
04/30/2019	<u>15</u>	AFFIDAVIT <i>Declaration of Tierra Jones Certifying Familiarity with Local Rules</i> by HUSCH BLACKWELL LLP. (Jones, Tierra) (Entered: 04/30/2019)
05/10/2019	<u>16</u>	Joint STATUS REPORT <i>Joint Status Report</i> by HUSCH BLACKWELL LLP. (Jones, Tierra) (Entered: 05/10/2019)
05/14/2019		MINUTE ORDER. The Court is receipt of the parties' <u>16</u> Joint Status Report. Plaintiff seeks copies of individual waivers for the non-manufacturer rule issued in connection with several solicitations by the U.S. Small Business Administration ("SBA"). Plaintiff also seeks background information supporting several requested waivers from the Defense Logistics Agency ("DLA"), in addition to copies of several contracts and all contract modifications from DLA. DLA reports that it is continuing to review and process Plaintiff's request. DLA expects to complete its processing and release any responsive non-exempt information to Plaintiff by June 15, 2019 for most requests and by July 15, 2019 for Plaintiff's January 25, 2019 request. The SBA has provided Plaintiff with one responsive record. The SBA will provide Plaintiff with an affidavit describing the scope of the SBA's search by May 30, 2019. The Court ORDERS the parties to file a Joint Status Report by JUNE 30, 2109, updating the Court on the parties' progress bringing this case towards resolution. Signed by Judge Colleen Kollar-Kotelly on 5/14/2019. (lcckk3) (Entered: 05/14/2019)
05/14/2019		Set/Reset Deadlines: Joint Status Report due by 6/30/2019, updating the Court on the parties' progress bringing this case towards resolution. (dot) (Entered: 05/20/2019)
06/28/2019	<u>17</u>	Joint STATUS REPORT by HUSCH BLACKWELL LLP. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Jones, Tierra) (Entered: 06/28/2019)
07/01/2019		MINUTE ORDER. The Court is receipt of the parties' <u>17</u> Joint Status Report. Plaintiff seeks copies of individual waivers for the non-manufacturer rule issued in connection with several solicitations by the U.S. Small Business Administration ("SBA"). Plaintiff also seeks background information supporting several requested waivers from the Defense Logistics Agency ("DLA"), in addition to copies of several contracts and all contract modifications from DLA. DLA has completed its response to all but one of Plaintiff's FOIA requests. For that FOIA request, DLA is consulting with specific vendors regarding any required withholdings under Exemption 4. DLA will update Plaintiff by July 12, 2019. SBA provided Plaintiff with an affidavit describing the scope of its search. The parties conferred and consider SBA's involvement in the action to be resolved. The Court ORDERS the parties to file another Joint Status Report by JULY 30, 2019, updating the Court on the parties' progress bringing this case towards resolution. Signed by Judge Colleen Kollar-Kotelly on 7/1/2019. (lcckk3) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Joint Status Report due by 7/30/2019, updating the Court on the parties' progress bringing this case towards resolution. (dot) (Entered: 07/02/2019)